App F IX-4

Previous

1933.

File No. 151-33

Previous References

21 17-33, -23, 37

(and)

Seri

Later References

D 552

General and Revenue Secretariat.

Serial Nos Jan

Part B for Dec 1933

SUBJECT.

Levy of tolls on lorries passing through the main Road, by the Seringapatam Municipality

7) not 3516 dt 17/11/33. to be replied
Request him to issue necessary instructions
to the Seringapatam Mcl not to levy
tolls on lorries passing through the main
Road

9/12/34

Office of the Secretary Member of Council
5 OCT 1933
No. [illegible]

D.S.Dev

To

The Deputy Inspector

Sir

With reference to the representation made at the Peper Assembly on the 4th instant this day regarding the hardship caused to the case of through traffic by the rule introduced in the Tenugapalam Mey that such traffic, in order to entitle it to exemption from payment of toll, should pass out of the Mey within 15 minutes after entering it, I am directed to state that the levy of the municipal toll may be made at the entrances to the town other than on the main road (Bangalore-Mysore road) in order to minimise obviate the inconvenience alleged to be caused by the shortness of the time allowed for the passage of through traffic through the town. Necessary instructions may be issued accordingly to the Municipal President who may be asked to bring and the arrangement may be brought into force as early as possible

I have

Yours obedly

Secy to Govt

(Secy)

4/10

4/10

5/10

Issue from Camp.

6/10

20/11/1933 & or

11/10

L 1870

[redacted] File No 151 of 1933 [App F III—2

Serial No	
2	Letter no. A A S./33-34 dated 24/1/07 from the Secy Mysore district Automobile Association, Mysore, complaining of the hardship caused to the Bus owners by the recovery of annas 8 on each bus passing through the Seringapatam municipality inspection fee from passengers it carries and those bound to Seringapatam and praying that necessary instructions may be issued to the authorities to recover only 6 pies on each ticket bound to Seringapatam, and not annas 8 1 It is represented that at Seringapatam each bus has to pay annas eight whether it is laden or empty. The contention of the Bus owners is that if the bus carries 16 passengers to Seringapatam then the levy of a fee of annas eight is justifiable and to require the passengers bound for other places on the route to pay the pilgrim tax appears to be not reasonable 2 As regards the levy of tax on passengers coming by Railway, it is only on those bound for Seringapatam that a fee of six pies is levied and not on others. The same principle may perhaps be adopted in the cases of passengers going by bus, instead of requiring the bus to pay annas eight irrespective of the number of passengers it carries to Seringapatam

NOTE—Contn Sheet

WD 70—GBPM—60 000—13 8-31

L 1878 / 1933 / 157 of 1933

File No

The Pilgrim tax is collected in addition to the usual toll payable at the municipal gates & submitted for orders. Vide note file 140-32 dt 1-7-33 relating to the levy of pilgrim tax in Seringapatam municipality.

28/10/33 AN

Telegram dated 28/10/33 from the automobile Association on the same subject

Asst Secy's orders on the telegram

Please put up with the connected file worked up at once

Sd/- A. Subbarao
28/10

Submitted.

28/10 AN

5. In respect of pilgrims entering the town by road, the tax is collected by way of toll on the vehicles used by them for coming into the town. It is such vehicles that are liable to pay toll or not those which pass out direct to other places without stopping within the limits, vide item 7 of the Schedule B of the Rules issued for the purpose (Flag A)

In this office letter no Camp 20-Dy dt 6-10-33, the instructions were issued for the levy of the toll at entrances to the town other than on the Mysore-Bangalore road. After order is given effect to & if the buses pass out on the main road without entering the town, there will be no question of the levy of toll on them as through traffic is exempt.

File No 157 of 1933

Serial No

8 The resolution of the Association seems to indicate that the instructions referred to are not given effect to and that the levy of toll is being made on the main road itself the transport Agency.

GENERAL SECRETARY
28 OCT 1933
No

9 A report may perhaps be called for from the Dy Com on the letter of the Association & he may be asked to give effect to the instructions referred to at once, if this is not already done

for orders
(Sanctioned)
28/10

30/10
31/10

1 Submitted with a draft for approval
31/10/33

2 Issue letter
31/10

Issues. vide 2782 of 31/10/33 to Dy Com Investigation with copy of V.P. Automobile Assn for a report and request them to give effect to the instructions issued already in the place of the Cyclone Investigation Committee at once

31/10

NOTE—Contn Sheet

L 2057

Gen-

File No 157 of 1933

Letter no A.A. 6/33-34 dated 5/11/33 from the Hony Secy Mysore district Automobile Association, Mysore stating that it is represented by the Bus owners that the pilgrim tax is still being collected by the Seringapatam toll and praying that immediate stay orders may be passed. 4

2) The previous communication of the Association has been sent on 31/10/33 to the Dy commr Mysore district for favour of submitting a report very early. He has also been requested to give effect to the instructions issued from this office regarding the places give levy of toll at once (Refers 10 & 12). C

3) The Association prays for immediate stay orders as the tax is still being collected at bases of the main road

Submitted for orders with a draft to DC Mysore

as personally directed, [illegible]

7.11.33

Sec'dcy

7/11

4) The draft is in accordance with the instructions of the Sec'dcy given some points. It may issue at once & may be signed

7/11

Issued vide 3190 of 7/11/33. To DC Mysore. Regrets him to give effect to the instructions issued re the places give levy of toll immediately.

TYPING SEC
7 NOV 1
GENL & REV

L 2057

[App F III—2

General and Revenue Secretariat — File No 209 / 157 of 1933

Serial No

and report the fact to Govt within three days.

17) Recoveries after issue as directed. (Ref para 16)

-7 NOV 1933 — Rlo

7/11/33 — For perusal (Encl secy) 7/11

9 4pm 7-11 7/11

Plr dated 7/11/33 presented to the 2nd member of council by Messrs C. Perumal Chetty and K. V Muniswami Setty Mysore stating that the pilgrim tax is still being recovered by the Seringapatam toll on buses passing through the main Road, that the instructions issued by Govt to recover the tax only at the entrance to the town have not been given effect to till now and praying that immediate stay orders may be issued in the matter.

6 — 20) The copy of the letter from Harijan Sevak Ashramdale Association, Mysore, on the same subject has been sent to the Dy Commr, Mysore district yesterday (7/11/33) with a request that instructions re the place from levy of toll tax issued by Govt should be given effect to at once and to submit a report of the fact within three days Submitted for orders

8/11/33 — 21) A report has also been called for from the Dy Com'r in the request of the Association contained in their letter of 24 10 32

Note—Contn Sheet

WD 70—GBPM—60 060—13-8 51

(Encl secy) 9/11

23) Dy Com'r has been requested on the receipt of report to

L 217/m

File No 151 of 1933

Letter. no D3. 1452/33-34 dated 10/11/1936 from the Deputy-commr Mysore district forwarding the report called for. P W.D. II

2) The Deputy commr states that toll gates have not been located in the main road; and that Gates are located only on the roads leading to the Fort, and that definite instructions have been given to the President not to levy toll on "through traffic".

3) He adds that the contention of the Automobile Association that the tax ~~is being~~ should not be ~~recovered~~ levied on buses passing through Srirangapatnam is untenable, ~~and~~ that the buses stop near the bus stand where the driver and the Conductor have to sign the register maintained by the Police Department, and that as the buses break bulk here, it is fair that they should pay toll.

4) ~~It~~ The Dycommr regret does not appear to be definite about the location of the gate, It is not known whether the Bus Stand is exactly situated, whether the toll-gates on the road leading to the Fort and to Ganjam and that situated near the Bus stand are one the same is not also clear. The Bus owners contend that the tax is being recovered on Buses passing through which they have to pass, through the main Road and they have enclosed receipts in respect thereof. P W.D. I D.

The toll gate opened seems to be near the Bus Stand. Jm

5) The Dycommr states that as the buses break bulk, load and unload passengers, it

Serial No

cannot be considered as 'through traffic' and the recovery of the tax on buses is thus not violating the rule.

28) When the buses pass through the main road, and the toll-gate is not situated therein and if the buses stop merely for the purpose of signing the register, there they have to be exempt from payment of the tax. Mere entry into the Municipal limits cannot perhaps be made the ground for recovering the tax.

29) As regards the interpretation of the term 'through traffic' the Law Depts may of approved also be consulted

30) Submitted for orders

83 11/11/33 AV/31) 6-10-33 The Dy Coll reports that the order of has been given effect to The levy of the toll on buses is justified on the ground that they load & unload passengers bound to Srikakulam at the Bus stand - which seems to be fixed near the toll gate itself - and ~~that~~ this break itself Dy C stated that thus breaking itself 'takes away' buses out of the exemption allowed for 'through traffic', and that the levy of toll is thus allright

D

31) The receipt enclosed with the petition here shows that 'Service buses' are not entitled to exemption on the ground of through traffic It is not clear how

NOTE—Contn Sheet

the exemption is taken away. Even these buses, for even if the deprivation of the exemption on the ground of their breaking bulk is deemed to be correct, it cannot be said that every bus breaks bulk at the place whether there are passengers getting down or not [redacted]

33 For favour of opinion on the statement made by the DC in para 2 of his letter that the rule that through traffic should not be taxed is not violated by taxing buses which break bulk at Serungapalam

Asstt Secy, Law Secy
NSW Cmpts

sd/-
11/11

34) The question of 'breaking bulk' cannot, I think, arise in the case of a [redacted] levy of toll. This is a tax on the vehicle and not on its contents. 'Through traffic' in the case of toll has therefore reference only to the vehicle. If it enters the Municipality, only to pass out of it to reach its destination, which is outside the Municipality, the vehicle is a through traffic for purposes of M' toll & has to be exempted.

35) Para 2 of the DC's letter is not clear. The point is not whether the buses carry passengers to & fro to

Serial No

Serigapatam, but whether they actually cross the toll bar fixed by the Municipality for levy of the toll. If these toll gates are not on the main road between Bangalore & Mysore but only on the roads leading to the fort and to Ganjam, ~~and~~ as stated by the D.C. in para 1 of his letter, and if the buses travelling on the main road unload the passengers or take them up from Seringapatam without actually crossing the toll gates, no question of them being liable to toll arises, even if it be conceded that they do not come within the exemption granted to through traffic.

36) Merely because toll is levied by the Seringapatam municipality & as a part of the scheme for levy of pilgrim tax, the toll cannot be called a pilgrim tax. A pilgrim tax is a levy on pilgrims while a toll is a levy on vehicles or animals entering the municipality.

17b
Law

Asst Secy to Govt with Comptr

MRP 11/11/33

11/11

Section 140 of 1933 should be

37) For orders

Govt Secy

WM 11/11

38) While the D.C. is not correct in his interpretation

Levy of pilgrim tax on b

File No 157

The toll is a tax on the vehicle & not on the contents If it does not enter the toll bar when is admittedly now not fixed across the main road ~~as~~ (in accordance with the orders of Govt) the vehicle is not liable to pay the tax

(Illegible)

11/11-33

39) I agree

Sir
14/11

Office of the Second Member of Council
13 NOV
No 2396

40) DK

14/11 stm 15/11

A draft is submitted for consideration

15/11/33 AV

42 Please put up fair draft ~~got the draft typed~~ as revised stm 16/11

43 Fair draft as revised is put up

83 16/11 AV

Sri Secy through Addl Secy Lawdept

44 stm 16/11

45 [illegible] 16/11/33 stm 16/11

GENERAL SECRT
17 NOV
No

Serial No

46) For perusal before issue.
H Dumbell
17-11-33
17/11

Secretariat Council
17
No 3134

47) JPK
17/11
17"

4-40 pm
17/11

48) Issue at once
17/11

7 Issued vide 3516 & 17/11/33 To the Deputy commr Mysore district. States that his interpretation of "through traffic" is not correct and requests him to issue necessary instructions to the Presidents who met in the matter immediately

49) Submitted with a draft letter to the Hon Secy Mysore Automobile Association Mysore for consideration. It is also for orders whether the receipts pronounced by Messrs Oberoi Schelty & Co Bombay alongwith them may not be returned with a Govt. Draft Govt is also put up for consideration to orders

GENERAL SECRETARIAT
20 NOV 1933
No

BS 20/11/33 AM 50 The draft Govt may be approved
(Govt Secy) AM 20/11

51 21/11

52 Issued for 21/11

Note Contin Sheet

TYPING SECTION
21 NOV 1933
3-5-7-11
CENL & REV SECTT

WD 70—GBPM—60 060—13-8 31

L 2171
1367

File No 157 of 1933 Sec

Letter no 3645 dt 22/11/33 to Hon Secy Automobile Association Mysore. States that necessary instructions have been issued to the Dy Commr in the matter. | 8

Letter no 3646 dt 22/11/33 to Chennula Chetty & K. V. Ammubhoanichetty. Informs them of the above | 9

Letter no D3 1452/33 dated 16/11/33 from the Deputy Commr Nagendrahalli enclosing the letter of the Vice President of the Mysore Automobile Association Mysore, sent to him for report | 10

Final orders have been issued in the matter. If approved this file may be filed

23/11

Serial No

As instructed, I have discussed the question of the levy of Municipal tolls on Motor buses at Seringapatam with the Deputy Commissioner. He adheres to his argument that these buses should not be reckoned as 'through traffic' because they must be presumed to load and unload passengers at Seringapatam. Even granting that in such cases the vehicles may possibly be regarded as not falling within the definition 'through traffic' he loses sight of the provisions of Section 61 and 86 of the Town Municipal Regulation. Section 61 Clause (3) distinctly prescribes the toll only on vehicles entering the said Municipality and Section 86 prescribes the places where such toll is to be collected. Government have now fixed the places where such toll is to be collected and admittedly the buses on which the toll is now being collected do not cross these places. So the levy itself becomes illegal and is liable to be questioned if the parties on whom the toll is being collected have recourse to the law courts.

It must be remarked in passing that the question of "breaking bulk" as defined by the Deputy Commissioner does not enter into the matter at all A toll is a tax on the vehicle and not on its contents and therefore so long as the destination of the bus is not Seringapatam it must be considered to be through traffic

Really the material argument of the Deputy Commissioner is that if these buses escape the levy, most of the improvement measures now under

WD 0434—GPB—15 000—12-10-38

Serial No

contemplation and execution at Seringapatam cannot be pushed through at all. So the question resolves itself into this, that the levy must be legalised or some alternative method thought of for improving the resources of the Municipality.

To legalise the levy it will be necessary to shift the Municipal toll gates back to their original position across the main road or in the alternative to shift the Bus Stand inside the fort. In either case the buses will have necessarily to pass the Municipal Toll bars. Exemption to through - - - traffic must also be removed specially in the case of the Seringapatam Municipality so that all vehicles passing through the toll bars may be uniformly taxed.

The Deputy Commissioner proposed also another alternative namely to remove the Municipal Tolls altogether and to increase the present levy on all venicular traffic passing over the Wellesley Bridge, the net increase derived by Government - - - through such increased levy being made over as an annual contribution to the Seringapatam Municipality. The Deputy Commissioner seemed to think that it would be practicable by an arrangement with the contractor to bring this arrangement into force from the 1st of January next if Government are inclined to view this proposal favourably.

I agree
SJR

Office of the Second Member of Council
30 NOV
No. 32464

I Member)
Dewan)

29-11-33

29/11/33

Submitted to the II Member as he has returned to Hqr. 30/11/33

Levy of Pilgrim tax on buses at Lemgapatam

2171 + 2350

General and Revenue Secretariat | File No | of 193 | [App F III—2

Serial No

The new arrangement is in accordance with the undertaking given at the R A meeting If the toll bars are not crossed it may not be legal to levy a toll No doubt unpleasantness to Pennagaram requires money but it cannot be levied against the rules causing inconvenience to the General public who want to pass thro the main roads —

Spr
30/11

ltm
30/11/33

Mr
9-12-33

ltm 11/12 33

Draft DO to the Dy Commr asked as directed by the Secy

New Secy

ltm 13/12

ltm
13/12-33

Spr
13/12

ltm 14/12

Issue
ltm 14/12

Issued vide 41223 dt 15/12/33- to C S

Knipsons warning Dy Comr and state that the order communicated on 17 11 33 may now be given effect to—

21/12/33

DEV SECTT 1 DEC 1933

GENERAL SECRETARY 13 DEC 1933 No 616

Sec Council 13 No 35868

PING SECTION 15 DEC 1933 ENL & REV SECTT

NOTE—Contn Sheet

WD 0246 -GPB—15,000—22-8-32

File No

of 193 .

L 2782/G

Mr SS

THE MYSORE DISTRICT AUTOMOBILE ASSOCIATION,

(REGISTERED UNDER SOCIETIES REGULATION)

MYSORE,

Dated 24th October 1933

Ref No A.A.5/32-34.

DEVELOPMENT
25 OCT 1933

The General Secretary,
to Government of Mysore,
Bangalore.

Dear Sir,

In submitting for Government's kind consideration the enclosed resolution, I have the honour to state that since the 15th last the Serangapatam Municipality has been levying a daily "PILGRIM TAX" of 8 annas per bus on buses going or coming on the MAIN MYSORE-BANGALORE road. It is levied without regard to the fact whether a bus carries any passengers to Serangapatam or not, and whether the bus carries any passengers at all or not.

For some time past influential persons in the Serangapatam Municipality have been trying to extract money from out-siders in one or ten way or another. We may remind Government of the 'Marriage Tax', which imposed last year and had to be cancelled, the stand fee of Rs.2/- per per month from buses on account of which buses had to get the stand removed outside the Fort Gate; and now the Pilgrim Tax! We would not complain about the Pilgrim Tax if it were a levy upon pilgrims. It is in the case of the Railway, there being an addition of ½ anna on tickets issued to Serangapatam. But in the cases of buses, each bus has to pay eight annas whether there is one passenger to Serangapatam or more, and whether it is laden, half-laden or empty. A bus from Mysore to Bangalore or Tumkur or to Hassan carrying 5 or 6 passengers to places on the route even though it does not look at Serangapatam has to pay 8 annas as if it

P.T.O.

L 2782/Encl one

THE
MYSORE DISTRICT AUTOMOBILE ASSOCIATION,

(REGISTERED UNDER SOCIETIES REGULATION)

MYSORE,

-2-

Dated 24th October 1933

Ref No A.A.5/33-34.

if it had carried a load of 16 pilgrim passengers to Serangapatam itself.

Places like Tirupathi in the Madras Presidency have got this taxation, but only on Railway passengers and not on those coming by buses, and certainly not on buses as buses, irrespective of their carrying pilgri or not.

We cannot conceive of our Government giving such an extraordinar power to this minor municipality of a decayed town. There is no reasoning that can justify this levy on buses. While for the last two years, bus-owners have been making frantic efforts to secure relief from Government own excessive taxation, such iniquitous imposts by wayside stations are hardly to be thought of. I have therefore to request Government to direct the Municipality to collect 6 pies on each Serangapatam ticket issued by the buses and not at the present unjustifiable rate.

Requesting the favour of early consideration by Government as the buses are losing Re.1/- daily in this,

I beg to remain,

Dear Sir,

Your most obedient Servant,

Sd/-C.K.Josyer M.A.,F.I.E.S.,

Vice-President.

Encl.1.

Copy submitted to the Secretary, Devolopment Department, Mysore Government, Bangalore with due respects requesting for an early and favourable orders in the matter.

I beg to remain,

Sir,

Your most obedient servant,

for Hon. Secretary

L 2782/Enclone

THE
MYSORE DISTRICT AUTOMOBILE ASSOCIATION,

(REGISTERED UNDER SOCIETIES REGULATION)

MYSORE,

Dated _____ 192

Ref No

Copy of the proceedings passed in the Meeting of the Association held on 23-10-33.

Resolution No.1. Resolved that the levy of Pilgrim Tax by the Serangapatam Municipality on the Mysore-Bangalore road on buses at 8 annas per bus, even though the buses may carry no pilgrims, is most unfair from all considerations, and that as the bus services are already groaning under heavy taxationx of various kinds , representation be made to Government not to countenance this further hardship PASSED UNANIMOUSLY.

2. X X X X X.

3. X X X X X

SD/-C.K.Josyer, M.A.,F.R.L.S.,
Chairman.

"True Copy"
For Hon.Secretary.

Karim Bux Bros Printers Calcutta—754 (B 112)—21 11 31—20 000 Bks

C. Mysore. INDIAN POSTS AND TELEGRAPHS DEPARTMENT 10

1923

NOTICE

This form must accompany any enquiry made respecting this Telegram

Charges to pay

Rs

Office Stamp.

Handed in at (Office of Origin)	Date	Hour	Minute	Service Instructions	Words
Mysore	28	9	53		15

Recd here at 10 H 2 M

TO

GENERAL SECRETARY

2800 Mysore

No. Pro.

Mysore Government

urgent Bangalore

Pilgrim dep.t continues letter

twenty-fourth pray orders

early

Lgbr.

Automobile

Association

28/10

Tyres-Tubes-Batteries **MOST MILES PER RUPEE**

L 2782/Enclose
See ml 154-3-1 ol 3

H R S App F G 3

GENERAL AND REVENUE SECRETARIAT

(Continuation sheet draft form)

D No L 1923

Date 31-10-33

Sd by Mr A. Subba Rao

To

The Deputy commissioner
Mysore district
Mysore

Sir:-

I am directed ~~for favour of report~~ to forward herewith a letter no A.A.S/33-34 dated 24/10/33 from the Vice President Gulbarga Mysore District automobile Association, Mysore complaining of the hardship caused to the Bus owners by the recovery of ~~a full~~ fourteen annas Eight on each bus passing through Seringapatam ~~one~~ return ~~fare~~ from passengers steams and bound to Seringapatam & ~~and bringing that necessary in-~~ ~~structions may be issued to the authorities to recover only 6 pies on each ticket bound to Seringapatam~~ and to request you to do so. I am also to request that ~~as to give~~ effect to the ~~same~~ ~~to the~~ order, a report in the matter may be sent early.

WD 0255—GPB—10,000—23 8 32

A-tp

Above
Sanction
sanctions issued in this office.

Letter No Camp 20 M1151-33
dated 6/10/33. re Mrs Hacq the Municipal
Levy of Rs
~~for the Seringapatam Municipality above~~
if the same has not already been
done

Thanks

31/10
for General Secy. Board

AW

MYS S.

THE MYSORE DISTRICT AUTOMOBILE ASSOCIATION,

(REGISTERED UNDER SOCITIES REGULATION)

Immedite

MYSORE,

Ref No AA.6/33-34.

Dated 5th November 1933

~~M-C 6 33-40~~

M-C 151-33-4

The General Secretary,
Government of Mysore,
Bangalore.

GENER No ~~for 1.5~~ DRY 4X 6/11

Sir,

Ref Letter dated 24th O
Interview on 2-11-3
on buses passing th
even entering into t town.

[illegible]apatam on the Main Road without [illegible] Municipal Tol

With reference to above, I desired by the bus owners of the distric to inform you that the tax is beinstill collected on buses passing through Serangapatam on the Main road and is levy is very hard, heavy on the bus owners whose business is already progringfrder heavy taxation and so the Association pray that Government will kindly pas a stay order for collecting the pilgrim tax pending decision of the Governnt in the matter.

I onceagain pray immediate ay order may kirdly be passed on the subject in favour of bus owners.

I have the honour to be,
Sir,
Your most obedient servant,

Honorary Secretary.

WD 71—Chpm—30.

Appendix F G—1]

SUBJECT

Section Rel

File No 151-33

Serial No 5

Diary No of letter replied to L 2057

No L 3190 / Sec Cose

To

The Deputy Commissioner

Mysore District

Mysore

Sir

In continuation of this office letter no L 2782 Rel 151-33-3 dated 31/10/33 I am directed to forward herewith copy of letter no AA 6/33-34 dated 5/11/33 from the Hon'ble the Mysore District Automobile Association, Mysore, stating that the pilgrim tax is still being recovered illegal on buses passing through Seringapatam and praying for the issue of immediate stay orders in the matter, and

General and Revenue Secretariat

(Rel)

the *193*

Date of issue 7-11-33

Signed by H.Q. Subba Rao

P.W.D

List of enclosures

Copied by

Examined by

WD 71—GBPM—40 000—20 7 31

to reinstate your ~~[illegible]~~ ~~[illegible]~~
that the instructions issued under
this office letter no comp 1 20
and 151-331 of 6/10/33 regarding
the place of levy, grace and sale
are given effect to immediately
if the same has not been done
~~She~~ and submit a report the facts to Govt ~~to that effect~~
thereof within three days
I have etc

for General Ledger Clerk
7/14

Bn
7/11.

2097

GEN. REV. SECTT.
8 NOV. 1933
L. & G. BRANCH.

Rd 151-33

BEFORE THE SECOND MEMBER OF COUNCIL,
Government of His Highness the
Maharaja of Mysore,
BANGALORE.

Petitioners:-

(1) C. Perumal Chetty,
Proprietor, C.P.C.Motor Service,
Mysore;

(2) K. V. Muniswami Setty,
Proprietor, K. V. Motor Service,
Mysore.

Respected Sir,

Subject:- Regarding the recovery of Pilgrim Tax by the Seringapatam Municipality, on Buses.

1. On behalf of the Bus owners, the Mysore District Automobile Association has brought this matter to the notice of Government for the last one month, but up till now, no relief has been given.

2. It was not the intention of Government, while sanctioning the proposal of the Municipal Council, for levying Pilgrim Tax, to levy the same on buses.

3. Though the Buses do not enter the Municipal limits, yet the tax is being recovered by the Municipal Council on the Main Road, viz Bangalore--Mysore

Road (State Fund Road), the only Main Road through which the buses have to pass on their way to different destinations.

4. The instructions issued by Government to recover the Tax only at the entrances to the Town proper, have not been given effect to till now.

5. The enclosed receipts Nos.41 and 42, dated 6- 11- 33, go to show that the Municipal Council is recovering the Tax illegally even to-day.

6. Since the levy works as a great hardship on the Bus Owners, we humbly pray that, pending final orders of Government on the representation of the Association in the matter, the Municipal Council may kindly be directed to immediately stop recovering the Tax from the Service Buses passing on the Main Road, i.e. Bangalore---Mysore Road, as is being done now.

Immediate orders are humbly solicited in the matter.

We beg to remain
Respected Sir,
Your most obedient servants,

Bangalore,
7th Novr. 1933.

Petitioners.

2171/L

Ml 151-33-6

No D3.1452/33-34.
Enc

Office of the Deputy Commissioner,
Mysore District

Dated, Mysore, 9th November 1933.

10

FROM

C S KUPPUSWAMIENGAR, ESQ,
Deputy Commissioner,
Mysore District

GEN. & REV. SECTN.
11 NOV. 1933
LIB. & BRANCH.

TO

H.V. Ramasvami, Esq., M.A.,B.L.,
General
Secretary to the Government of Mysore,
Bangalore

SECL
11 NOV 1933
No 2782

Please work up immediately

SIR,

11/11

Complaint by the Automobile Association re the levy of pilgrim tax at Seringapatam on buses passing through Seringapatam.

With reference to your letter No.L.2782/Ml.151-33-3 dated the 31st October 1933, calling for a report in re the above, and subsequent reminder No.L.3190/Ml.151-33-5 dated the 7th instant in the matter, I have the honor to state that in accordance with the directions conveyed in your letter No.L.20/Ml. dated 5-10-1933, toll gates have not been located in the main road (Bangalore-Mysore Road Gates are located only on the roads leading to the Fort and to Ganjam. Definite instructions have been given to the President not to levy toll on through traffic.

With regard to the complaint by the Automobile Association of the recovery of tax on Buses passing through Seringapatam irrespective of passengers it carries and bound to Seringapatam, I beg to state that their contention is untenable. The toll-gate is situated near the Bus Stand where the buses all stop and where the driver and the conductor have to sign the Register maintained by the Police Department. It is there that they pick up passengers. As these buses break bulk, i.e., load and unload, passengers within Municipal limits, it is but

—GPB—

19

From

To

Dated

Despatched

Received

General No.

No.

Enclosure No

it is but right that they should pay toll for entering the Municipal limits. The rule that through traffic should not be taxed is not thus violated.

The petition presented by the Automobile Association will be sent immediately on receipt from the President.

I have the honor to be,

Sir,

Your most obedient servant,

Deputy Commissioner,

Mysore District.

A.N.

Appendix F G—1]

SUBJECT

Section mil

File No 151-33

Serial No 7

Immediate

Diary No of letter replied to L 2171 — No L 3516 & 17-11-33

To

The Deputy Commissioner

Mysore district

General and Revenue Secretariat

( )

the *193*

Sir

Date of issue 17-11-33

Signed by Mr A Subba Rao

With reference to correspondence ending with your letter no D3-1452/33-34 dated 10/11/33 reporting, with reference to the complaint of the Automobile Association Mysore, in regard to the levy of toll at Seringapatam on buses passing through it, that the instructions conveyed in this office no L 20 dated 5/10/33 regarding the place of the levy

List of enclosures

Copied by

Examined by

WD 0677 —G PB—15 000—3 11 33

of municipal toll have been given effect to, and stating that as the buses break bulk (ie) load and unload passengers within the municipal limits of Seringapatam, it is but right that they should pay toll for entering the said limits and that the rule re exemption of "through traffic" is not thereby violated, I am directed to state as follows:-

The toll is a tax levied on the vehicle and not on its contents and the expression "through traffic" in the case of toll has reference to the vehicle itself. The question of "breaking bulk" does not therefore arise in the case of the levy of toll and if a vehicle enters the municipality, only to pass out of it to reach its destination which is outside

G R S App F G 3

GENERAL AND REVENUE SECRETARIAT

(Continuation sheet draft form)

~~Moreover, it is not clear whether in the case of buses~~

This para, and the next seems to indicate that vehicles - bus or other - which pass through the toll-bars carrying through the town have to pay toll, even if they are traffic destined for places beyond the MC limits, we don't think quite clear if this be the intention "through traffic" is normally permitted to pass through a MC without paying toll, if it leaves the MC limits within a specified time. Even if the toll is levied on entry, it will be refunded when the vehicle leaves the MC limits, if it does so within the time allowed

MG

The revision now made perhaps clears the doubt

ROL 16/4

The municipality, the vehicle should be regarded as "through traffic" irrespective of the fact that it loads and unloads passengers within municipal limits.

~~No fact for the levy of toll in the circumstance is not whether the buses carry passengers to and from Seringapatam~~

~~but whether they actually cro~~ Moreover, if the toll bars fixed by the municipality for the levy of toll are ~~If these toll-gate are~~ not on the main road between Bangalore and Mysore, but only on the roads leading to the Fort and to Ganjam as stated in para 1 of your letter and if the buses travelling on the main road unload passengers or take them up at Seringapatam without

WD 0255—GPB—10 000—23 8 32

actually crossing the toll-gates no question of their liability to toll arises, ~~even if at~~ irrespective of the fact whether they ~~be conceded that they do~~ are or through traffic or not ~~not come within the exemption granted to "through traffic"~~.

The toll bar now fixed by the Seringapatam Municipality in accordance with the instructions given in this office letter of 5th Oct 1933 being admittedly not on the main road, buses not entering it are not liable to pay the toll. Necessary instructions may accordingly be issued to the President of the Seringapatam Mal in the matter immediately

I have etc

for Secy to Govt
16/11/33

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE

General and Revenue Secretariat

No L 3645/Rel 151-33-8 Bangalore, Dated, 22nd Novr. 1933

From

The *General Secretary to the Government of His Highness the Maharaja of Mysore*

To

The Hon. Secretary,
Mysore District Automobile Association,
Mysore.

Sir,

With reference to correspondence ending with your letter No.A.A 6/33-34 dated the 5th November 1933 complaining that the Seringapatam Municipality has been levying a pilgrim tax (Municipal toll) of 8 annas per day on buses passing through Seringapatam on the main road and praying that the Municipal Council may be directed not to recover the tax on buses passing through the main road, I am directed to state that necessary instructions have been issued to the Deputy Commissioner in the matter.

I have the honour, to be,
Sir,
Your most obedient servant,

Asst. Secretary
for General Secretary to Government

Psk.

Appendix F G—1]

SUBJECT

Section ml

File No 151-33

Serial No 8

Diary No of letter replied to L2171

No L 3645

To

The Hon- Secy

Mysore District Automobile Association

Mysore

General and Revenue Secretariat

(ml)

the *193*

Date of issue 22.11.33

Signed by M. C. Subba Rao

Sir

With reference to correspondence ending with your letter no AAA 33-34 dated 5/11/33, complaining that the Seringapatam Municipality has been levying a pilgrim tax (municipal tax) of Annas per day on buses for persons passing through Seringapatam on the main Roads and praying that the Govt may be directed not to recover the tax on buses

List of enclosures

Copied by

Examined by

WD 0677—G P B—15 000—9-11-33

passing through the main Road.
I am directed to state that
necessary instructions have been
issued to the Deputy commr
in the matter

I have etc

for General Secy to Govt

Exhibit

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE

General and Revenue Secretariat

No FL 3646/Ae 151-33-9

Bangalore, Dated, 22nd Novr. 1933

ENDORSEMENT

Granted to -

Messrs. C. Perumal Chetty,
C.P.C.Motor Service

&

K.V.Muniswami Chetty,
K. V. Motor Service,
Mysore

In reply to their petition dated the 7th November 1933 complaining that the Seringapatam Municipal Council has been levying a pilgrim tax of 8 annas per day on each bus passing through Seringapatam, on the main road (Bangalore-Mysore Road) and praying that the Municipal Council may be directed not to recover the said tax on buses passing through the main road, the petitioners are informed that necessary instructions have been issued to the Deputy Commissioner, Mysore District in the matter.

The receipts No.41 and 42 dated the 6th November 1933 enclosed with their petition are herewith returned.

By Order,

Asuara Rao

for General Secretary to Government

Psk

Appendix F G—1]

SUBJECT

Diary No of letter replied to

General and Revenue Secretariat

( )

the *193*

Date of issue 22.11.33

Signed by [illegible]

List of enclosures

Copied by

Examined by

Section mrl

File No 151-33

Serial No 9

No G 3646

To Endorsement.

Granted to Messrs.

C. Perumal chetty

: C.P.C. motor Service

K V muniswami chetty

K V motor Service.

Mysore

In reply to their letter dated 7/11/33 complaining that the Seringapatam mael has been levying a pilgrim tax of Rs. per day on each bus passing through Seringapatam on the main road (Bangalore-Mysore road) praying that the mael may be directed not to recover the said tax on buses passing through the main Road, the Petrs

are informed that necessary
instructions have been issued
to the Deputy commissioner
district in the matter.

The receipts no 41142 dated
6/11/33 enclosed with them are
hereunto returned

Yours

[illegible]

[illegible] for General Secy to Govt

M.Y. 83.

Mr 151-33-10 2367

No D3.1452/33.
Enc one

OFFICE OF THE DEPUTY COMMISSIONER,
MYSORE DISTRICT

Dated, Mysore, **16th November 1933.**

FROM

C S KUPPUSWAMIENGAR, ESQ.,
Deputy Commissioner,
Mysore District

GENERAL SECRETARIAT 20 NOV 1933 No L 8

GEN. & REV SECTT. 22 NOV. 1933 L.S.G BRANCH.

H.V. Ramaswami, Esq., M.A.,B.L.,
General Secretary to the
Government of Mysore,
Bangalore.

SIR,

Representation by the Mysore District Automobile Association regarding the levy of Toll on Buses entering Seringapatam.

In continuation of this office letter No.D3.1452/33 dated the 8th instant, submitting a report in re the above, I have the honor to return herewith the letter No.A.A.5/33-34 dated the 24th October 1933, from the Vice President of the Automobile Association.

I have the honor to be,
Sir,
Your most obedient servant,

Deputy Commissioner,
Mysore District.

A.N.

Extract from petition dated 19th October 1933. from Hombale Rangiah, Toll Gate Contractor, to the First Member of Council, Bangalore.

- - - - - -

x x x
x x

5. To add to this the Municipality, Seringapatam has established their own toll gates and commenced collections at my toll gates from the 15th instant although the Dewan Saheb has announced on the 4th instant at the Representative Assembly that the main object of installing the toll-gates at the municipality is to realise the pilgrim tax and the toll-gates will be installed at the entrances of the Seringapatam Town. The Municipality has no doubt errected sheds and toll-gates at the entrances as announced by the Dewan Saheb but the collections are being made at my toll-gate when my people stop the vehicle for collecting toll. As the rate of the Municipal toll is far less than that of my toll (which is an interior provincial toll gate) the owners gladly pay of the former and pass away without caring the protests and arguments of my men that their 1st payment to the Municipal toll-gate has nothing to do with our toll. Although I am representing in the matter to the Deputy Commissioner, Mysore, in my applications dated the 5th 16th and 17th instants no action has been taken to help me in the matter nor the Municipality men asked not to collect tolls at my toll-gate, On the 17th instant, the Revenue ~~Commissioner~~ Sub Division Officer who is the President of the Municipality, has come to the toll-gate with the Doctor of the Seringapatam and the Vice-President asked my brother who was at the toll-gate as to what harm will there be, if Municipal toll-gate people collect their toll at my toll-gate. While my brother was explaining the difficulties and loss to the Revenue Sub Division Officer, one Iyayathullakhan, peon of the Municipality has interfered with the talk and told the said officer that my brother objects to the levy of tolls by

them at the interior provincial toll-gate. To this the Vi President (Mr.Dyaviah) who was in the car as stated above has told him that if any body were to object for his collection he may neck him out. At this assurance the peon has actually given two slapsover the head of my brother and necked him. Thereafter my brother has represented to the Revenue Sub Division Officer that if he is treated like this in his presence it is impossible to state what their fate would be in his absence at the hands of the Vice-President. He has also cited the Revenue Sub Division Officer, the Doctor and the Police Constable No.60 who was there on traffic duty as witnesses. After this the Sub Division Officer appears to have told my brother to forget what all happened there and work amoothly with the Municipal people. I have represented in person all these facts to the Deputy Commissioner Mysore on the morning of the 17th instant and presented a petition for necessary enquiry. On account of the collection of tolls at Paschimavahini by the Municipal people, there will be stoppage of traffic and it is very difficult for through carts to pass.

- - - - - -

"Extract"

MDS

1870

THE MYSORE DISTRICT AUTOMOBILE ASSOCIATION,

(REGISTERED UNDER SOCIETIES REGULATION)

MYSORE,

Dated 24th October 1933.

Ref No A.A.5/33-34.

The General Secretary,

to Government of Mysore,

Bangalore.

GENERAL SECRETARIAT
25 OCT. 1933
No. 2 S-7

Dear Sir,

In submitting for Government's kind consideration the enclosed resolution, I have the honour to state that since the 15th last the Serangapatam Municipality has been levying a daily "PILGRIM TAX" of 8 annas per bus on buses going or coming on the MAIN MYSORE-BANGALORE road. It is levied without regard to the fact whether a bus carries any passengers to Serangapatam or not, and whether the bus carries any passengers at all or not.

For some time past one or two influential persons in the Serangapatam Municipality have been trying to extract money from out-siders in one way or another. We may remind Government of the 'Marriage Tax', which was imposed last year and had to be cancelled, the 'stand fee of Rs.2/- per bus per month from buses on account of which buses had to get the stand removed outside the Fort Gate; and now the Pilgrim Tax! We would not complain about the Pilgrim Tax if it were a levy upon pilgrims. It is so in the case of the Railway, there being an addition of ½ anna on tickets issued to Serangapatam. But in the case of buses, each bus has to pay eight annas whether there is one passenger to Serangapatam or none, and whether it is laden, half-laden or empty. A bus from Mysore to Bangalore or Tumkur or to Hassan, carrying 5 or 6 passengers to places on the route, even though it does not look at Serangapatam, has to pay 8 annas as if it

P.T.O.

accordance with the instructions given in this office letter of 5th

THE

MYSORE DISTRICT AUTOMOBILE ASSOCIATION,

(REGISTERED UNDER SOCIETIES REGULATION)

MYSORE,

Dated 24th October 1933

Ref No A.A.5/33-34.

if it had carried a load of 16 pilgrim passengers to Serangapatam itself.

Places like Tirupathi in the Madras Presidency have got this taxation, but only on Railway passengers, and not on those coming by buses, and certainly not on buses as buses, irrespective of their carrying pilgrims or not.

We cannot conceive of our Government giving such an extraordinary power to this minor municipality of a decayed town. There is no reasoning that can justify this levy on buses While for the last two years, bus-owners have been making frantic efforts to secure relief from Governments' own excessive taxation, such iniquitous imposts by wayside stations ~~ix~~ are hardly to be thought of. I have therefore to request Government to direct the Municipality to collect 6 pies on each Serangapatam ticket issued by the buses, and not at the present unjustifiable rate.

Requesting the favour of early consideration by Government, as the buses are losing Re.1/- daily in this,

I beg to remain,

Dear Sir,

Your most obedient Servant,

G.R Joyce M.A., F.R.E.S.,

Vice-President.

Encl.1.

The toll bar now fixed by the Seringapatam Municipality in accordance with the instructions given in this office letter of 5th

THE

MYSORE DISTRICT AUTOMOBILE ASSOCIATION,

(REGISTERED UNDER SOCIETIES REGULATION)

MYSORE,

Dated _ _ _____ *192*

Copy of the proceedings passed in the Meeting of the Association held on 23-10-33.

Resolution No.1. Resolved that the levy of Pilgrim Tax by the Serangapatam Municipality on the Mysore-Bangalore road on buses at 8 annas per bus, even though the buses may carry no pilgrims, is most unfair from all considerations, and that as the bus services are already groaning under heavy taxations of various kinds , representation be made to Government not to countenance this further hardship. PASSED UNANIMOUSLY.

2. X X X X X.

3. X X X X X

SD/-G.R.Josyer, M.A.,F.R.E.S.,
Chairman.

"True Copy"
For Hon.Secretary.

The toll bar now fixed by the Seringapatam Municipality in accordance with the instructions given in this office letter of 5th

N B—The name of the Sender if telegraphed is written after the text

Karim Bux Bros, Printers, Calcutta—73 (B 8)—19 4 33—2,00,000 Bks

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Mysore	30	15		Two	26

TO ~~Q.C. Calsee Mysore~~ Recd. here at H. M. 15/10

~~Secretariat~~

Second member Mysore

Government Bangalore

= ~~bis~~ inspite governments orders serang =
palam municipality still collection
toll on buses on main road
great hardships to bus owners.

B.—The name of the Sender, if telegraphed, should be written after, but separated from the text.

D3.1452/33-34
Encl. one.

OFFICE OF THE DEPUTY COMMISSIONER
MYSORE DISTRICT
23rd Nov. 1933

C. Class } O INDIAN POSTS AND TELEGRAPHS DEPARTMENT No. 93
Prefix. } Code

This for [illegible] made respec[illegible] H M | Office Stamp

Handed in at (Office of Origin)	Date	Hour	Minute	Service Instructions	Words

TO

Recd here at H M

Moneys

pray the immediate stay orders

automobile association

N B—The name of the Sender if telegraphed is written after the

Karim Bux Bros., Printers, Calcutta—73 (B 8)—19 4 33—2 00,000 Bks

The name of the Sender, if telegraphed, should be written after, but separated from the text.

3.1452/33-34
Encl. one.

OFFICE OF THE DEPUTY COMMISSIONER
MYSORE DISTRICT

Mysore, 23rd Nov. 1933

N. B—The name of the Sender, if telegraphed, should be written after, but separated from the text.

C.

INDIAN POSTS AND TELEGRAPHS DEPARTMENT

NOTICE	Charges to pay		Office Stamp
This form must accompany any inquiry made respecting this Telegram	Rs.	As.	30 NOV 33

Handed in at (Office of Origin)	Date	Hour	Minute	Service Instructions	Words.
Madras	30	15		Tlw add	36

TO

Recd here at H M 15/12

GENERAL SECRETARIAT
30 NOV 1933
No. 189

N B—The name of the Sender if telegraphed is written after the text

Karim Bux Bros, Printers, Calcutta—73 (B-8)—19 4 33—2,00,000 Bks

1452/33-34
Encl. one.

...WAMIENGAR, Esq.,
y Commissioner

OFFICE OF THE DEPUTY COMMISSIONER &
PROTECTOR

Mysore Dated 23rd Nov. 1933

My Dear Singaram,

[redacted] I send

...Bastion, Calcutta—73 (R.B.)—10.4.33—2,00,000 Rs.

N. B.—The name of the Sender, if telegraphed, should be written after, but separated from the text.

Recd

By

TO DEPARTMENT

By

Handed in at (Office of Origin)	Date	Hour	Minute	Service Instructions	Words
TO				Recd here at H M	

Nomas

pray for immediate stay order

automatic

N. B—The name of the Sender, if telegraphed, should be written after, but separated from the text.

N B—The name of the Sender if telegraphed, should be written after, but separated from the text.

Karim Bux Bros., Printers, Calcutta—73 (B-8)—19-4-33—2,00,000

J.1452/33-24
Encl. one.

DEWAMIENGAR, Esq.,
Deputy Commissioner

[redacted]

Mysore, Dated 23rd Nov. 193

My Dear Singaram,

As directed by the Dewan yesterday, I send herewith for submission to him a copy of the General Secretary's letter stating that service buses are not liable to pay municipal toll at Seringapatam, if they do not enter the Fort or Ganjam limits.

As ordered by him I shall defer giving effect to it till I hear further from the Government in the matter.

Yours sincerely,

[signature]

Sahib
The file with
he put up at
Bangalore
28
28/11/33.

Letter No. L. 3516/Ml. 151-33-7 dated the 17th November 1933, from the General Secretary to the Government of Mysore to the Deputy Commissioner, Mysore District.

With reference to correspondence ending with your letter No. D3. 1452/33-34, dated 10th November 1933, reporting with reference to the complaint of the Automobile Association, Mysore, in regard to the levy of toll at Seringapatam on buses passing through it, that the instructions conveyed in this office No. L. 20 dated 5th October 1933 regarding the place of the levy of Municipal toll have been given effect to, and stating that as the buses break bulk, i.e load and unload passengers within the Municipal limits of Seringapatam it is but right that they should pay toll for entering the said limits and that the rule re exemption of "through traffic" is not thereby violated, I am directed to state as follows:-

The toll is a tax levied on the vehicle and not on its contents and the expression "through traffic" in the case of toll has reference to the vehicle itself. The question of "breaking bulk" does not therefore arise in the case of the levy of toll, and if a vehicle enters the Municipality, only to pass out of it to reach its destination which is outside the municipality, the vehicle should be regarded as "through traffic" irrespective of the fact that it loads and unloads passengers within municipal limits.

Moreover, if the toll bars fixed by the municipality for the levy of the toll are not on the main road between Bangalore and Mysore, but only on the roads leading to the Fort and to Ganjam as stated in para 1 of your letter, and if the buses travelling on the main road unload passengers or take them up at Seringapatam without actually crossing the toll gates, no question of their liability to toll arises, irrespective of the fact whether they are on "through traffic" or not.

The toll bar now fixed by the Seringapatam Municipality in accordance with the instructions given in this office letter of 5th

Appendix F G—1]

SUBJECT

Diary No of letter replied to

General and Revenue Secretariat

( )

the *193*

Date of issue 15.12.33

Signed by L. V. Ramaswami

List of enclosures

Copied by PSN 15/12

Examined by

Section

File No

Serial No

No L 4123

To

Diwan Bahadur Krishnaswamy Iyer,

With reference to your D.O letter No D 3 1452/33-34 dt 23.11.1933 to the Private Secretary to the Dewan, on the subject of the payment of ~~[illegible]~~ Municipal tax to service lines at Srirangapatam, I am directed to state that the order communicated to you in this Office letter No L 3576/ME 157-33-7 dt 17.11.33 ~~[illegible]~~ ~~and~~ may now be given effect to.

Yours sincerely

17/12

C S Krishnaswamy Iyer Esq
Dy Com, Mysore DN

18/12